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12 IN THE UNITED STATES DISTRICT COURT  
13 FOR THE NORTHERN DISTRICT OF CALIFORNIA

14

15 SAN JOSE DIVISION

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17 UNITED STATES OF AMERICA, ) No. CR 06-00095 JF  
18 Plaintiff, )  
19 v. )  
20 FRANCISCO JAVIER ALCAZAR, )  
21 Defendant. )  
22 \_\_\_\_\_ )  
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**STIPULATION AND [PROPOSED]  
ORDER TO CONTINUE STATUS DATE**

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18 Assistant United States Attorney Richard C. Cheng and defendant, Francisco Alcazar,  
19 through his counsel, Assistant Federal Public Defender Angela M. Hansen, stipulate and agree  
20 that the status date in the above-captioned matter, presently scheduled for Wednesday, October  
21 25, 2006, should be continued to December 6, 2006, at 9:00 a.m.

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23 The parties stipulate and agree that this status date should be continued because counsel  
24 for Mr. Alcazar received some additional discovery and needs time to discuss this discovery with  
25 her client and to investigate this case. Additionally, Mr. Alcazar was recently released from  
26 custody and his counsel needs time to have him come to the office to review several audio  
recordings and a video recording that were produced to the defense in discovery. Because the  
audio recordings are primarily in Spanish, counsel needs additional time to work with Mr.  
Alcazar concerning these tapes. For all of these reasons, the parties stipulate and agree to  
continue the status date to December 6, 2006.

1       The parties further stipulate and agree that under 18 U.S.C §§ 3161(h)(8)(A) and (B)(iv),  
2 the ends of justice served by the continuance requested outweigh the best interest of the  
3 defendant and public in a speedy trial because the failure to grant such a continuance would  
4 unreasonably deny Mr. Alcazar the time necessary for effective preparation, taking into account  
5 the exercise of due diligence.

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7       Dated: October 20, 2006

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/s/  
ANGELA M. HANSEN  
Assistant Federal Public Defender

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10      Dated: October 20, 2006

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/s/  
RICHARD C. CHENG  
Assistant United States Attorney

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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

## SAN JOSE DIVISION

UNITED STATES OF AMERICA, ) No. CR 06-00095 JF  
Plaintiff, )  
v. )  
FRANCISCO JAVIER ALCAZAR, )  
Defendant. )  
\_\_\_\_\_  
[PROPOSED] ORDER CONTINUING  
STATUS DATE AND EXCLUDING  
TIME

The parties have jointly requested to continue the status date set for October 25, 2006 to December 6, 2006 at 9:00 a.m., GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the status date presently set for October 25, 2006 is continued to December 6, 2006, at 9:00 a.m. Pursuant to the parties' stipulation, IT IS FURTHER ORDERED that the period of time from October 25, 2006 through and including December 6, 2006, shall be excluded from the period of time within which trial must commence under the Speedy Trial Act, 18 U.S.C §§ 3161(h)(8)(A) and (B)(iv).

Dated: October 23 2006

**JEREMY FOGL**  
United States District Judge

1 Distribute to:

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